

Attorney Docket No. APPL0030

U.S. Serial No. 10/735,400

REMARKS

The Examiner has rejected claims 1-20 under 35 USC 102(b) as being anticipated by Fabre, et al USPN 4,688,443.

Applicant respectfully disagrees.

Initially, Applicant notices that the Examiner has done a very thorough analysis of the application and the art. Applicant thanks the Examiner for his diligence in this regard.

The Examiner has referred to Fabre as anticipating the claimed invention. Fabre is directed to a pilot-copilot control system. Applicant doubts that the persons skilled in the art would look to pilot-copilot control systems in connection with video games to which the subject invention is directed. While, at the broadest level, pilot-copilot control systems in video game controllers do perform similar functions, for example, they condense a number of control signals to a smaller number of control signals, Applicant does not consider a system for controlling an airplane, which is a physical system that is controlled while operating in physical space, is anticipatory of (or renders obvious) video game console. In this regard, the art is not analogous and would not be considered by the skilled person.

Further, Applicant claims control input sets, while Fabre is only concerned with a single control signal that is received of each of the joysticks. In Fabre, the single control signal reflects the tilt amplitude of the joystick. Applicant's claims had previously been directed to a control input set, comprising at least one control input. Applicant has amended both independent Claims 1 and 11 to recite that the control input sets are "comprising a plurality of control inputs." Thus, on this basis alone, the claimed invention is patently distinct from Fabre in that Fabre does not teach the use of "a plurality of control inputs" in connection with control input sets.

The Examiner also refers to Applicant's claim as teaching to "provide [said] at least one reduced control set to a display console." In fact, the Applicant does not

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mention such "display console," but instead refers to a "video game console." While the Examiner has not addressed this discrepancy, but merely cites that the various indicators on the cockpit console indicate which of the two joysticks, *i.e.* pilot, co-pilot, is currently active/dominant. Significantly, for anticipation, the cited reference must teach each and every element of the claimed invention. Accordingly, Fabre is inappropriately cited as anticipating prior art, because it does not teach a video game console.

The Examiner also cites Fabre at column six, lines 50-60, as corresponding to Applicant's claimed "reduced control inputs that determines an action of a separate on-screen entity." Here, the correspondence between the claimed invention and the prior art breaks down entirely. Because the Examiner has already equated the "video game console" to the cockpit control, the Examiner that equates the "on-screen entity" to the indicators on the console. This suggests that the purpose of the joysticks is to control the indicators in the console. Of course, the joysticks are intended to control the plane. So, if one were to apply the Examiner's analysis, then it would be more sensible that the plane be the equivalent of the on-screen entity. But doing so would jeopardize the equivalence established by the Examiner between the "display console" and the "on-screen entity." That is, the plane itself is clearly not displayed on the console.

In this regard, the Examiner's proposed equivalence only makes sense if the purpose of the joysticks is to control the little lights on the cockpit console. Clearly, they are not. Thus, Fabre again fails to teach the claimed invention, and a person skilled in the art would not find Fabre to be instructive with regard to producing the claimed invention.

Claim 3, 14

In the scheme Fabre describes in column three, lines 25-25, at all times a single control signal is passed to the plane actuators. What Applicant sets forth in Claims 13 and 14 is the passing of the control input sets through the system unaltered. That is, there is effectively no reduction in the number of control inputs.

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Applicant teaches that "said control input set are provided unaltered to said video game console." In Fabre, the signal from the unoperated control is definitely altered because it is ignored entirely. The signal is not passed through to the "console," plane, or whatever it is, exactly what the Examiner maintains is being controlled in Fabre (see above).

Claim 5, 15

The equivalence found by the Examiner with regard to Claims 5 and 15 is quite weak because the claim specifically draws upon the notion of a "control input set," and describes combining corresponding control inputs with two or more sets. Because there is no control set in Fabre, but only a singular control signal, the Examiner has been unable to provide any specific teaching of this claimed approach.

Claims 8 and 18

The equivalence between the on-screen entity and the indicators in the console is not comprehended. These are not the same thing, and a quick reference to the teachings in Fabre versus the teachings in Applicant's specification makes it clear that these are two different items.

Claims 9 and 10

Nowhere in Fabre is there a discussion of letting the user define the specific reduction and/or combination scheme. In fact, a portion of one of the cited passages (column 7, lines 8-10) strongly suggests otherwise. "This coupling logic is the result of theoretical studies, security analysis, and long experimentation on simulators." That is, Fabre's reduction and/or combination scheme are fixed at the time the system is constructed, based on "optimal" design. It is not subject to modification by the user according to preferences.


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In view of the foregoing, Applicant submits that the claims as amended define patentable subject matter in view of the Examiner's cited reference. Accordingly, Applicant earnestly solicits the Examiner's reconsideration and withdrawal of rejection, such that the application may pass to issuance as U.S. Letters patent.

Should the examiner deem it helpful, he is encouraged to contact applicant's attorney, Michael A. Glenn, at (650) 474-8400.

Respectfully submitted,



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